

# **EXHIBIT G**

## **Legal Memorandum**



## Legal Memorandum

I, Anne Monique Mareschal, do hereby affirm and declare:

- 1 My full name is Anne Monique Mareschal (maiden name Haestier), and I have a business address at ExxonMobil Chemical Europe Inc., Hermeslaan 2, 1831 Machelen, Belgium.
- 2 I am a European Patent Attorney (qualified 1999) and a Belgian Patent Attorney (qualified 2000) employed by ExxonMobil Chemical Europe Inc. As such, I handle European patent matters for affiliates of Exxon Mobil Corporation, and have done so since May 1999.
- 3 I am also a committee member of UBCEPI/BVORIE, the governing body of professional patent attorneys employed in industry in Belgium; and a tutor in European patent law at C.E.I.P.I., the international branch of the Intellectual Property Department of University of Strasbourg, France.
- 4 ExxonMobil Oil Corporation and ExxonMobil Chemical Films Europe, Inc. (previously known as Mobil Plastics Europe Inc.) are affiliated companies, both being affiliates of Exxon Mobil Corporation. An agreement exists (and existed in 2001-2002) between ExxonMobil Oil Corporation and ExxonMobil Chemical Films Europe, Inc. under which inventions developed by ExxonMobil Chemical Films Europe, Inc. are automatically assigned to ExxonMobil Oil Corporation, together with the right to apply for patent protection thereon.
- 5 ExxonMobil Oil Corporation, filed at the United States Patent Office (USPTO) on 10 April 2003 two provisional patent applications entitled respectively "Improved Metallized Films" and "Process for the Production of Improved Metallized

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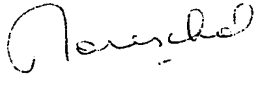
Films". These provisional applications have been assigned US Application Serial Numbers 60/461,737 and 60/461,766, respectively.

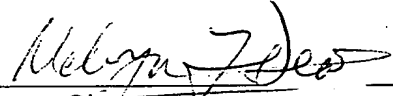
- 6 On 6 April 2004, ExxonMobil Oil Corporation filed at the USPTO two regular patent applications, assigned US Application Serial Numbers 10/822,188 and 10/818,801, respectively. Each regular patent application claimed priority from both US Application Serial Numbers 60/461,737 and 60/461,766. Also on 6 April 2004, ExxonMobil Oil Corporation filed at the USPTO two international patent applications assigned application numbers PCT/US2004/010528 and PCT/US2004/010527, respectively, each claiming priority to both US Application Serial Numbers 60/461,737 and 60/461,766.
- 7 US Application Serial Numbers 60/461,737, 60/461,766, 10/822,188 and 10/818,801 as well as international applications PCT/US2004/010528 and PCT/US2004/010527 (hereinafter collectively referred to as the "Patent Applications") describe and claim the subject-matter of one or more invention(s) described in a 28 page document entitled "INFORMATION FOR PATENT CONSIDERATION; EXXONMOBIL CHEMICAL FILMS BUSINESS" (hereinafter referred to as the "Invention Disclosure"), signed by Jean-Marc François and dated 8 May 2002.
- 8 During the period from 1 June 2000 until 11 April 2003, Jean-Marc François was employed as a Product Development Engineer by Mobil Plastics Europe Inc. (now known and hereinafter referred to as ExxonMobil Chemical Films Europe, Inc.) at its facility located at Zoning Industriel de Latour, B-6761 Virton, Belgium. This facility was, and still is, used by ExxonMobil Chemical Films Europe Inc. for the development and production of polymer films.
- 9 The Invention Disclosure on which the Patent Applications are based refers specifically to pages of a laboratory notebook 2102 MCM dedicated by ExxonMobil Chemical Films Europe, Inc. to its employee, Jean-Marc François. The pages referred to in the Invention Disclosure are dated from May 3, 2001 to May 6, 2002.
- 10 On the basis of the dates of the laboratory notebook pages referred to in the Invention Disclosure; the date on which the Invention Disclosure was signed by Jean-Marc François; and the content of the Invention Disclosure, it is clear to me that the subject-matter of the Patent Applications was developed by Jean-Marc François while he was employed by ExxonMobil Chemical Films Europe, Inc.

- 11 Patent law in Belgium is codified by the Patent Law of 28 March 1984, as amended by the laws of 9 March 1995, 28 January 1997, 26 June 2000 and 12 June 2001. Such law does not contain specific provisions regarding employee inventions. However, Belgian practice and case law provide that, absent any special agreement between an employee and his/her employer, inventions made by an employee in execution of his/her employment contract are the property of the employer. Such inventions are often referred to as "Services Inventions". Reference is made in this respect to "Droits des brevets d'invention et protection du savoir-faire", Mireille Buydens, Ed. Larcier, 1999, pages 87-90 and to "Synthèses de Jurisprudence - Les brevets", P. Van Den Bulck, Ed Story-Scientia, 1999, Chapter II, and to the case law cited in these references.
- 12 I have inspected the employment contract between Jean-Marc François and ExxonMobil Chemical Films Europe, Inc. The contract does not contain any provision on the assignment of inventions. Therefore, Belgian practice and case law has to be applied to determine ownership of the invention(s) disclosed in the Invention Disclosure and the Patent Applications.
- 13 The Invention Disclosure shows details of work carried out at Jean-Marc François' employer's premises, using Jean-Marc François' employer's equipment. The Invention Disclosure also makes use of proprietary information of Jean-Marc François' employer and its affiliates, to which Jean-Marc François had access in execution of his employment contract.
- 14 In his job position as "Product Development Engineer", it is reasonable to assume that Jean-Marc François was expected by his employer to look for and develop new polymeric film products and methods of making such film products, on behalf of his employer.
- 15 Based on the matters set out in paragraphs (13) and (14), it is my opinion that the subject-matter disclosed and claimed in the Patent Applications fits into the category of "Services Inventions" under Belgian practice and case law and is thus the property of ExxonMobil Chemical Films Europe, Inc., employer of Jean-Marc François at the relevant time. It is also my opinion that a Belgian Court competent in such matters would, if asked to decide on the basis of these same facts, award ownership of invention(s) disclosed and claimed in the Patent Applications to ExxonMobil Chemical Films Europe, Inc.

- 16 This opinion is supported by the fact that the Invention Disclosure is entitled "INFORMATION FOR PATENT CONSIDERATION, EXXONMOBIL CHEMICAL FILMS BUSINESS" and by the details provided by Jean-Marc François in this document. The document demonstrates to my satisfaction that it was the intention of Jean-Marc François that his employer should prepare and file patent application(s) protecting such invention(s).
- 17 As mentioned in Paragraphs (4)-(6), the Patent Applications were actually filed at the USPTO by ExxonMobil Oil Corporation by virtue of that company's automatic assignment agreement with ExxonMobil Chemical Films Europe, Inc.
- 18 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any of the Patent Applications or any patent issued thereon.

Witnessed:  
Melvyn John Dew

  
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Signature  
Belgian Patent Attorney  
Registration No. W001

<u>Dec. 28, 2004</u>	<u></u>	<u>28 Dec 2004</u>
Date	Signature	Date